

## Remarks

In the present response, no claims are amended. Claims 1-28 are presented for examination.

### **Claim Rejections: 35 USC § 103(a)**

Claims 1-9 and 20-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jouppi (U.S. Appl. Pub. No. 2002/0141595 A1, hereinafter “Jouppi”) and Amir et al. (U.S. Appl. Pub. No. 2002/0090094 A1, hereinafter “Amir”). These rejections are traversed.

Each of the independent claims recites one or more elements that are not taught or suggested in Jouppi in view of Amir. These missing elements show that the differences between the combined teachings in the art and the recitations in the claims are great. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art. Some examples are provided below for the independent claims.

#### Claim 1

As one example, independent claim 1 recites a means for determining a position of a head of a person at a second location. The claim then recites “plural means for reproducing an audio field at the second location from the audio signals, wherein sounds emitted by each means for reproducing are controlled based on the position of the head of the person.” In other words, the sounds reproduced at the second location are based on the position of the head of the person at the second location. Jouppi in view of Amir does not teach or suggest this claim element.

Jouppi teaches a telepresence system that includes a remote unit at a first location and a user station at a second location. Jouppi acknowledges an objective to “recreate the remote sound field as closely as possible by preserving the directional and reflection profiles of the audio stimuli” (see Jouppi at paragraph [0030]). Jouppi accomplishes this task by using “at least six speakers at the user station” (see Jouppi at paragraph [0030]). Jouppi does not teach or even suggest that the “sounds emitted” at the user station are adjusted based on the location of the speaker at the user station. In other words, Jouppi does not discuss or even suggest that the sound emitted by the speakers is based on a

location of a person at the user station. Jouppi uses six speakers to at very specific angles to recreate sound (see Jouppi at paragraph [0036]). The angle of the speakers is important for optimal sound field recreation (*Id.*). Jouppi, however, never teaches that these speakers emit sound based on where the user is located in the user station.

Amir determines a position of a person in order to adjust the gain signal obtained when the person speaks into a microphone. Amir expressly teaches that his invention is “for purposes of deriving a person-microphone position signal which is determined contemporaneously with the person 32 speaking” (see Amir at paragraph [0026]). Amir does not teach or even suggest that the “sounds emitted” at the location of the person are adjusted based on the location of the speaker. In other words, Amir adjusts sound received from a person into a microphone based on a position of the person with respect to the microphone. Amir does not adjust sound emitted to the person based on the position of the person with respect to the microphone. **This difference is quite significant.**

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

For at least these reasons, independent claim 1 and its dependent claims are allowable over Jouppi in view of Amir.

#### Claim 21

As one example, independent claim 21 recites determining a position of a head of a person at a second location. The claim then recites “reproducing an audio field at the second location from the audio signals, wherein sounds emitted by each of plural means for reproducing are controlled based on the position of the head of the person.” In other words, the sounds reproduced at the second location are based on the position of the head of the person at the second location. As noted above in connection with claim 1, Jouppi in view of Amir does not teach or suggest this claim element.

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

For at least these reasons, independent claim 21 and its dependent claims are allowable over Jouppi in view of Amir.

**Claim Rejections: 35 USC § 103(a)**

Claims 25-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schulz (U.S. patent number 7,092,001, hereinafter Shulz) in view of Amir et al. (U.S. Appl. Pub. No. 2002/0090094 A1, hereinafter “Amir”). These rejections are traversed.

Claims 25-28 recite one or more elements that are not taught or suggested in Schulz in view of Amir. These missing elements show that the differences between the combined teachings in the art and the recitations in the claims are great. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art. Some examples are provided below for independent claim 25.

As one example, independent claim 21 recites determining a position of a head of a person at a display booth. The claim then recites “reproducing an audio field at the display booth, wherein the audio field is controlled based on the position of the head of the person.” In other words, the sounds reproduced at the display booth are based on the position of the head of the person at the display booth. Schulz in view of Amir does not teach or suggest this claim element.

The Examiner admits that “Schulz fail to disclose of the plurality of speakers for reproducing an audio field at the display booth, wherein the audio field is controlled based on the position of the head of the person” (see OA at p. 8). Applicants agree with this admission. The Examiner, however, attempts to cure this deficiency with Amir. Applicants respectfully disagree.

Amir determines a position of a person in order to adjust the gain signal obtained when the person speaks into a microphone. Amir expressly teaches that his invention is “for purposes of deriving a person-microphone position signal which is determined contemporaneously with the person 32 speaking” (see Amir at paragraph [0026]). Amir does not teach or even suggest that the “sounds emitted” at the location of the person are adjusted based on the location of the speaker. In other words, Amir adjusts sound received from a person into a microphone based on a position of the person with respect to the microphone. Amir does not adjust sound emitted to the person based on the

position of the person with respect to the microphone. **This difference is quite significant.**

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

For at least these reasons, independent claim 25 and its dependent claims are allowable over Schulz in view of Amir.

### **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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